

# **WATER ALLOCATION PROGRAM DEVELOPMENT WATER RIGHTS SUBCOMMITTEE MEETING**

## **MINUTES OF MEETING**

7/1/03

### **Members Present:**

John Garry  
Annette Jacques  
Al Bettencourt  
Jon Schock  
Ken Ayers  
Bill Stamp, III

### **Water Resources Board Staff:**

Connie McGreavy

### **Guests:**

None

## **I. CALL TO ORDER**

Mr. Garry called the meeting to order at 1:35 PM.

## **II. APPROVAL OF MINUTES**

Mr. Garry deferred approval of the June minutes. He indicated that the finalized minutes would be distributed and voted on at the August meeting.

## **I. ITEMS FOR ACTION**

### **A) Status Reports from Subgroups**

#### **1. Agriculture**

Mr. Bettencourt stated that he still has not heard back from Senator Sosnowski. He referenced a letter that was considered a draft of the subgroup's report that had been distributed at the June meeting. There was much discussion regarding the priority of agricultural rights and water management plans. The subgroup posited that in order for a water management plan to be viable, there must be a Water Allocation Plan in force by the Water Resources Board. One of the biggest problems for this subgroup was the multitude of laws that conflict on this issue. It was suggested that the subgroup compile a list of all the laws on this issue. Ms. McGreavy referenced the regulatory authority diagrams in terms of depicting statutory and regulatory authority. Discussion ensued regarding the need for attorney input at meetings to give guidance regarding the law. Mr. Garry reported that Ms. Kendra Beaver of Save The Bay is reviewing the water allocation statute and may be able to assist in interpreting the language. Mr. Bettencourt will report how many farmers have irrigation plans.

#### **2. Drought Management**

Mr. Brian Bishop has been working on this issue but was not able to attend the meeting. His written comments were distributed to the group and will be taken up at the August meeting. Mr. Garry will contact other members of this subgroup regarding their input.

### **3. Groundwater**

Ms. Jacques reported that she and an intern have been exploring the law in Rhode Island on groundwater, but there is a veritable drought of information. They have been investigating other states for information that might be applicable in Rhode Island. Ms. Jacques referenced a report from Georgia that contained relevant information. She will research similar laws in eastern states as a basis for potential legislation in Rhode Island. She will strive to have a draft set of recommendations by the end of the summer.

### **4. Regulatory Takings**

Mr. Garry reported that he had been working on a legal memorandum regarding regulatory takings. There was further discussion as to who owns the water and the priorities that should be assigned.

### **B) Clarification of Tasks and Timeline for Subgroups**

Each subcommittee was asked to refine their research for the August meeting with the goal of finalizing a draft at the September meeting.

## **II. ITEMS FOR DISCUSSION**

### **A) Updating the Regulatory Authority Diagrams**

Ms. McCreavy explained some changes that would be made to the diagrams and indicated that she would be working with Ms. Karp on narrative text.

## **VI. OTHER BUSINESS**

### **A) Input to Education**

Each subgroup will provide two ideas for the subcommittee at the next meeting. This will give each group the time to discuss the priorities they have and what they would like to do to educate the public. Some of the ideas that emerged included a brochure to help the public understand how to navigate through the regulatory authority process, a summary of rights that would answer the question, Who owns the water?, and information regarding private wells.

### **B) Outreach**

It was suggested that committee members reach out to people who have knowledge and experience in these areas to reinvigorate the committee and fill in where there might be deficiencies.

## **V. ADJOURNMENT:**

The meeting adjourned at 2:45 PM.

Respectfully submitted,

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John Garry  
RI Dept. of the Attorney General

*\*Note: For more information on Water Allocation, visit: <http://www.seagrant.gso.uri.edu/scc/wrb/index.html>.*

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